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AUG 13 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alfred F. Behrens
Serial No. : 10/697,227
Filed : October 30, 2003
For : INTRAMEDULLARY NAIL-BASED
BONE FRACTURE TREATMENT

Art Unit: 3743
Examiner: (unknown)

OFFICIAL

DECLARATION UNDER 37 CFR § 1.102(c)

I, ROGER STRAIR, a citizen of the United States of America, declare that:

I am a Medical Doctor and an Associate Professor of Medicine at the Cancer Institute of New Jersey, 195 Little Albany Street, New Brunswick, New Jersey 08901-1998.

I am the treating physician for Alfred F. Behrens, the applicant named in the above-identified application for Letters Patent of the United States.

Alfred F. Behrens has been diagnosed with and currently is in treatment for Non-Hodgkin Lymphoma, a cancerous condition of the lymph nodes. The disease is in the most advanced stage and his survival is severely limited. At any time, he can succumb to a treatment complication, such as a fatal infection, particularly one affecting his lungs.

I declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Roger StrairDate: 8/5/04